

STATE OF INDIANA )  
 )  
COUNTY OF WHITE ) SS:

IN THE WHITE SUPERIOR COURT

CAUSE NO: 91D01-

Plaintiff's Name & Address & Phone #

Defendant's Name and Address

**NOTICE OF CLAIM—POSSESSION FOR NONPAYMENT OF RENT**

Plaintiff complains of defendant and for cause of action says:

1. That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, plaintiff leased to defendant the following described real estate located in \_\_\_\_\_ County, Indiana, to-wit \_\_\_\_\_ for which defendant agreed to pay plaintiff as rental the sum of \_\_\_\_\_ dollars per \_\_\_\_\_ on the \_\_\_\_\_ day of each \_\_\_\_\_ beginning on the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_\_.
2. That pursuant to said agreement defendant took possession of said premises and has since and still does occupy the same.
3. That defendant has ☐ failed to pay rent as it became due or ☐ that defendant has breached the terms of the lease by: \_\_\_\_\_ and the landlord has given tenant written notice to correct the violation within 10 days. (Check correct box.)
4. That defendant has not surrendered the possession of said real estate to the plaintiff. Since the expiration of said notice, defendant has unlawfully held over and detained plaintiff of possession of said premises.
5. You are hereby Ordered to appear personally, or by your Attorney before the White County Superior Court for the hearing on Immediate Possession of Real Estate on \_\_\_\_\_, 20\_\_\_\_\_ at: \_\_\_\_\_ P.M. to show cause why a prejudgment order for possession should not be issued and the property delivered to plaintiff(s). Defendant (s) may file Affidavits on their behalf at the time of the above stated hearing. You may further file with the court a written undertaking to stay delivery of the property to the Plaintiff(s).
6. This notice of claim has been assigned further hearing on \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_ M. You must appear personally or by your Attorney to the White County Superior Court or the plaintiff may be given a default judgment against you.

**WHEREFORE**, plaintiff demands possession of said real estate, a money judgment for breach of the landlord tenant relationship, court costs, and for all proper relief.

\_\_\_\_\_  
Plaintiff's Signature

**THIS NOTICE SHALL BE SERVED UPON DEFENDANT (s) by:**

\_\_\_\_\_  
Certified Mail  
\_\_\_\_\_  
Sheriff of **WHITE** County

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of White County

## **IMPORTANT INFORMATION CONCERNING THIS ACTION**

1. If you are the defendant, you need to appear in Superior Court (3<sup>rd</sup> Floor, White County Courthouse) at the date and time on the other side of this paper. Court proceedings are conducted in English. You may bring someone with you to translate if you are more comfortable in another language.
2. If the claim arises out of a written contract, a copy is attached. If the claim is on account, an itemized statement is attached.
3. If you do not appear, a default judgment may be entered. Even if you do not dispute the claim, you need to appear to establish a method to pay the judgment.
4. If you have any documents or witnesses, bring them with you.
5. If you wish to file a Counter-Claim, it must be served upon the plaintiff seven (7) days prior to trial.
6. You may request a jury trial by filing a request in writing within ten (10) days of receipt of the summons and at least three (3) days prior to the trial date.
7. Any motions for a continuance should be filed in writing with the court five (5) business days prior to the hearing.
8. You may appear in person or by sending your attorney. An attorney is not required. If the defendant is a business, a full time employee of the business can appear for the business for claims up to \$1500 if authorization from the business is on file with the Court.

If you are unable to appear for the scheduled trial, Contact the Court immediately, at White Superior Court, County Building, PO Box 350, Monticello In, 47960 or call 574-583-9520 or 574-583-7032.